

State

Thomas Dula &

~~Attorneys~~ James McElhiney

In this case Thomas Dula & ~~James McElhiney~~ James McElhiney make oath that that they do not believe that they could have a fair and impartial trial in the County of Wilkes, for the reason that the case has been much corrupted in said County, has produced great excitement, and that the public mind has been prejudiced against them to such an extent that an impartial and unbiased jury could not be obtained in said County.

James McElhiney
Attorney

Given in & subscribed before me in
open Court this 4th day of October A.D. 1866

J. W. D. [Signature]